

STATE OF CALIFORNIA  
FISH AND GAME COMMISSION  
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION  
(Pre-publication of Notice Statement)

Amend Section 506,  
Title 14, California Code of Regulations  
Re: Shooting Hours

I. Date of Initial Statement of Reasons: June 24, 2005

II. Dates and Locations of Scheduled Hearings:

- |     |                   |           |                 |
|-----|-------------------|-----------|-----------------|
| (a) | Notice Hearing:   | Date:     | June 24, 2005   |
|     |                   | Location: | Bishop          |
| (b) | Adoption Hearing: | Date:     | August 19, 2005 |
|     |                   | Location: | San Luis Obispo |

III. Description of Regulatory Action:

- (a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

Existing regulations in Section 506, Title 14, California Code of Regulations provide shooting hours for migratory game birds. These shooting hours are from one-half hour before sunrise to sunset throughout the State except in areas open to hunting on, over or adjacent to the waters of Morro Bay, San Luis Obispo County. At Morro Bay, shooting hours are from 8:00 a.m. to sunset. The later start time results in less-than-optimum hunting conditions for those who hunt on Morro Bay because most migratory game birds are most active in the time period near sunrise. This exception for Morro Bay was enacted due to concerns of users of the State Park campground regarding the sounds from shotguns early in the morning. In 1983, the hunting boundary area was changed and hunting no longer occurs adjacent to this campground; therefore this exception is no longer necessary. The Commission is proposing to amend the shooting hours for Morro Bay to begin either at 7:00 a.m. or one-half hour before sunrise. By allowing hunters to start hunting earlier, conflicts with other recreational users of Morro Bay will be reduced.

- (b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 202, 355 and 3000, Fish and Game Code

Reference: Sections 202, 355, 356 and 3000, Fish and Game Code

- (c) Specific Technology or Equipment Required by Regulatory Change: None.
- (d) Identification of Reports or Documents Supporting Regulation Change:  
2005 Draft Environmental Document Migratory Game Bird Hunting
- (e) Public Discussions of Proposed Regulations Prior to Notice Publication:  
June 24, 2005 Commission meeting in Bishop, CA.

#### IV. Description of Reasonable Alternatives to Regulatory Action:

- (a) Alternatives to Regulation Change:

No alternatives were identified.

- (b) No Change Alternative:  
The No Change Alternative would maintain the exception for the Morro Bay area that does not allow hunting to begin until 8:00 a.m.

- (c) Consideration of Alternatives:

In view of the information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

#### V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

#### VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations adjust the shooting time for waterfowl hunting in the Morro Bay Special Management Area. The proposal is expected to be economically neutral to business.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

- (e) Nondiscretionary Costs/Savings to Local Agencies: None.

- (f) Programs mandated on Local Agencies or School Districts: None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.

- (h) Effect on Housing Costs: None.

## **Informative Digest/Policy Statement Overview**

Current regulations in Section 506, Title 14, California Code of Regulations (CCR), provide shooting hours for migratory game birds. These shooting hours are from one-half before sunrise to sunset throughout the State except in areas open to hunting on, over or adjacent to the waters of Morro Bay, San Luis Obispo County. At Morro Bay, shooting hours are from 8:00 a.m. to sunset. The later start time results in less-than-optimum hunting conditions for those who hunt on Morro Bay because most migratory game birds are most active in the time period near sunrise. This exception for Morro Bay was enacted due to concerns of users of the State Park campground regarding the sounds from shotguns early in the morning. In 1983, the hunting boundary area was changed and hunting no longer occurs adjacent to this campground; therefore this exception is no longer necessary. The Commission is proposing to amend the shooting hours for Morro Bay to begin either at 7:00 a.m. or one-half hour before sunrise.